

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re Application of: Scott Schewe, Jeffrey Lindquist, Kevin Silberg, Ralph Barry Jr., Andrew Campbell, Nil Chay, Ausberto Reyes Pineda
Application No.: 10/918039
Filed: August 13, 2004
For: IMPROVED CATHETER BALLOON MOLDING DEVICE
Examiner: Not Assigned
Group Art Unit: Not Assigned
Firm Docket No.: S63.2B-11478-US01

DATE: November 15, 2004TIME: 3:20FACSIMILE NO.: 703-872-9306TOTAL NUMBER OF PAGES (including transmittal letter): 56

FACSIMILE TRANSMITTAL LETTER

Following please find a(n) 4 Page Information Disclosure Statement ; 3 Page List of References; 2 Foreign References; and 1 page Facsimile Transmittal Letter.

With respect to fees:

- No additional fee is believed to be required
- Charge any fee deficiency to our Deposit Account No. 22-0350

Conditional Petition

If any extension of time for the accompanying response is required or if a petition for any other matter is required, applicant requests that this be considered a petition therefore.

If any additional fees associated with this communication are required and have not otherwise been paid, please charge the additional fees to Deposit Account No. 22-0350. Please credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,
VIDAS, ARRETT & STEINKRAUS

Date: November 15, 2004By: Walter J. Steinkraus

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Signature: Heidi J. Steuter

Heidi J. Steuter

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2B-11478-US01

INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached form listing the cited references and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If the form listing the cited references or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is prior art, or is or is considered to be, material to patentability as defined in §1.56.

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Information Disclosure Statement
Attorney Docket No. S63.2-11478-US01

Applications that are listed on the accompanying form listing the cited references as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the form listing the cited references and/or 892 forms from these cases.

☒ I. This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- ☐ (1) within 3 months of the filing date of the application (other than a CPA); or
- ☐ (2) within 3 months of entry of the national stage; or
- ☒ (3) before the mailing of a first Office Action on the merits;
- ☐ (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- ☐ (5) as part of a continued prosecution application (CPA); or
- ☐ (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

☐ II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- ☐ (1) a certification as specified in §1.97(e) is provided below; or
- ☐ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

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Page 3

Information Disclosure Statement
Attorney Docket No. S63.2-11478-US01

____ III. 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- ____ (1) a certification as specified in §1.97(e) is completed below; and
- ____ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

X IV. *Fee Authorization.* If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

____ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

____ This communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

____ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

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Information Disclosure Statement
Attorney Docket No. S63.2-11478-US01

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: November 15, 2004

By: 
Walter J. Steinkraus
Registration No.: 29592

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Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO.: S63.2B-11478- US01		APPLICATION NO.: 10/918039			
				APPLICANT: Scott Schewe, Jeffrey Lindquist, Kevin Silberg, Ralph Barry Jr., Andrew Campbell, Nil Chay, Ausberto Reyes Pineda					
				FILING DATE: August 13, 2004		GROUP: Not Assigned			
REFERENCE DESIGNATION				U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS					
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE			
	AA	4490421	12/25/84	Levy	428/35				
	AB	4906244	3/6/90	Pinchuk et al.	606/194				
	AC	4935190	6/19/90	Temmerstedt	264/529				
	AD	4950239	8/21/90	Gahara	604/96				
	AE	4963313	10/16/90	Noddin et al.	264/573				
	AF	5017325	5/21/91	Jackowski et al.	264/521				
	AG	5087394	2/11/92	Keith	204/22				
	AH	5264260	11/23/93	Saab	428/35.5				
	AI	5304340	4/19/94	Downey	264/521				
	AJ	5306246	4/26/94	Sahatjian	604/96				
	AK	5328468	7/12/94	Kaneko et al.	604/96				
	AL	5334146	8/2/94	Ozasa	604/96				
FOREIGN PATENT DOCUMENTS									
		DOCUMENT NUMBER	DATE	COUNTRY					
	BA	98/03218	1/29/98	WO					
	BB	540858	5/12/93	Europe					
	BC								
	BD								
	BE								
OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)									
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EXAMINER			DATE CONSIDERED						
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.									

of

UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)		ATTY DOCKET NO.: S63.2B-11478-US01		APPLICATION NO. 10/918039	
		APPLICANT: Scott Schewe, Jeffrey Lindquist, Kevin Silberg, Ralph Barry Jr., Andrew Campbell, Nil Chay, Ausberto Reyes Pineda			
		FILING DATE: August 13, 2004		GROUP: Not Assigned	
UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY					
EXAM'S INIT.		APPLICATION NO.	FILING DATE	INVENTOR(S)	
	DA	10/753043	1/7/04		
	DB				
	DC				
	DD				
	DE				
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		APPLICANT: Scott Schewe, Jeffrey Lindquist, Kevin Silberg, Ralph Barry Jr., Andrew Campbell, Nil Chay, Ausberto Reyes Pineda				
		FILING DATE: August 13, 2004		GROUP: Not Assigned		
US APPLICATIONS RELATED BY PRIORITY						
EXAM'S INIT		APPLICATION NO.	FILING DATE	PATENT NO.	INVENTOR(S)	FORM 1449/892 ENC
	EA					
	EB					
	EC					
	ED					
	EE					
	EF					
EXAMINER			DATE CONSIDERED			
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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO.: S63.2B-11478-US01		APPLICATION NO.: 10/918039	
				APPLICANT: Schewe et al.			
				FILING DATE: August 13, 2004		GROUP: Not Assigned	
REFERENCE DESIGNATION				U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	5344400	9/6/94	Kaneko et al.	604/96		
	AB	5403340	4/4/95	Wang et al.	606/194		
	AC	5500180	3/19/96	Anderson et al.	264/532		
	AD	5525388	6/11/96	Ward et al.	428/36.9		
	AE	5556383	9/17/96	Wang et al.	684/96		
	AF	5714110	2/3/98	Wang et al.	264/529		
	AG	5826588	10/27/98	Forman	128/698		
	AH	5833657	11/10/98	Reinhart et al.	604/96		
	AI	5948345	9/7/99	Patel	264/529		
	AJ	6024752	2/15/00	Horn et al.	606/192		
	AK	6146356	11/14/00	Wang et al.	604/96		
	AL	6193738	2/27/07	Tomaschko et al.	606/194		
	AM	6242063	6/5/01	Ferrera et al.	428/35.5		
	AN	6270522	8/7/01	Simhambhatla et al.	623/1.11		
	AO	6284333	9/4/01	Wang et al.	428/35.5		
	AP	6290485	9/18/01	Wang	425/470		
	AQ	6328710	12/11/01	Wang et al.	604/96.01		
	AR	6458313	10/1/02	Hudgins et al.	264/515		
	AS	6572813	6/3/03	Zhang et al.	264/519		
	AT	6596219	7/22/03	Schaible et al.	264/515		
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	AX						
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EXAMINER				DATE CONSIDERED			
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